

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 08 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed NOV 08 2002

The applicant **Robert L. & Fern A. Harbecke** hereby make application for permission to change the **Point of Diversion** of water heretofore appropriated under **Permit Number 58493**

1. The source of water is **Underground Sources**
2. The amount of water to be changed **4.5 cfs**
3. The water to be used for **Irrigation & Domestic**
4. The water heretofore permitted for **Irrigation & Domestic**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T.13N., R.67E., M.D.B.&M., whence the Northeast Corner of said Section 22 bears N. 45° 18' 01" E., 3,696.86 feet distant.**
6. The existing permitted point of diversion is located within **SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, T.13N., R.67E., M.D.B.&M., whence the Southwest Corner of said Section 14 bears S. 60° 13' 15" W., 2,193.20 feet distant.**
7. Proposed place of use **portions of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 16; E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21; W $\frac{1}{2}$, SE $\frac{1}{4}$ of Section 22; all in T.13N., R.67E., M.D.B.&M., 270 acres.**
8. Existing place of use **portions of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 16; E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21; W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 22; all in T.13N., R.67E., M.D.B.&M., 270 acres.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drill and case well, install turbine pump and sprinkler system.**
12. Estimated cost of works **\$35,000.00**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks:

By s/ **Richard W. Forman**
Richard W. Forman Agent
298 E. 11th Street
Ely, NV 89301

Compared cac/ cmf lb/ cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 58493 is issued subject to the terms and conditions imposed in said Permit 58493 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands. The total combined duty of water under Permits 920, Certificate 866; 15812, Certificate 4808; 17163, Certificate 4810; 20817; Certificate 6777; 22545, Certificate 7571; 26228, Certificate 8363; 26229, Certificate 8364; 26546, Certificate 8365; 26952, Certificate 8366; 26953, Certificate 8367; 29162, Certificate 10107; 34727, Certificate 11889; 50772 and 69316 shall not exceed 3430.81 acre-feet annually

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.5 cubic feet per second, but not to exceed 1080 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 16, 2004

Proof of completion of work shall be filed before:

June 16, 2004

Water must be placed to beneficial use on or before:

May 16, 2007

Proof of the application of water to beneficial use shall be filed on or before:

June 16, 2007

Map in support of proof of beneficial use shall be filed on or before:

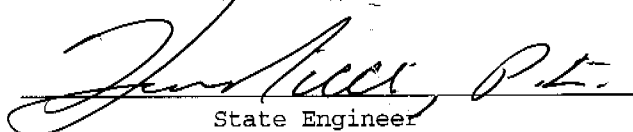
June 16, 2007

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 16th day of May, A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____